

IN THE SUPREME COURT  
OF THE STATE OF NEW MEXICO

**FAXED**  
7-26-11

No. 33,127

IN THE MATTER OF HON. ALBERT S. "PAT" MURDOCH  
Second Judicial District Court, New Mexico

INQUIRY CONCERNING HON. ALBERT S. "PAT" MURDOCH  
Inquiry No. 2011-068

FILED UNDER SEAL  
PURSUANT TO 27-104(B) NMRA

**MOTION TO ACCEPT STIPULATION TO  
PERMANENT RETIREMENT FROM JUDICIAL OFFICE  
EFFECTIVE JULY 29, 2011 IN LIEU  
OF FURTHER DISCIPLINARY PROCEEDINGS**

JUDICIAL STANDARDS  
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*Counsel for Petitioner*

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EFFECTIVE JULY 29, 2011 IN LIEU  
OF FURTHER DISCIPLINARY PROCEEDINGS**

The Judicial Standards Commission of the State of New Mexico ("Petitioner" or "Commission"), through the undersigned counsel, hereby moves the Supreme Court for an order approving the attached *Stipulation to Permanent Retirement from Judicial Office in Lieu of Further Disciplinary Proceedings* in which Respondent, Hon. Albert S. "Pat" Murdoch agrees to permanently retire effective at 5 p.m. on July 29, 2011. The Respondent further agrees to never again serve in judicial office in New Mexico in the future. The Commission believes this stipulation agreement best serves the interests of justice and the integrity of the New Mexico Judiciary.

1. Petitioner invokes its jurisdiction pursuant to Petitioner's power to recommend the discipline of judges, and the Supreme Court's power to discipline judges under N.M. Const. Art. VI, §32; the Court's power of superintending control under N.M. Const. Art. VI §3; and JSC Rule 38, NMRA.

2. In Inquiry 2011-068, on July 20, 2011, the Commission filed and issued a *Notice of Preliminary Investigation* ("NPI") to Respondent. Respondent has not responded to the NPI, but rather has chosen to retire, in lieu of proceeding in this matter.

3. Upon a unanimous vote, the Commission entered into a *Stipulation to Permanent Retirement from Judicial Office in Lieu of Further Disciplinary Proceedings* with the Respondent on July 29, 2011 (attached hereto as **Exhibit 1**), which provides in pertinent part the following:

A. Respondent agrees to permanently retire as judge of the Second Judicial District Court effective at 5 p.m. on July 29, 2011. Upon acceptance of this stipulation by the New Mexico Supreme Court, Respondent shall submit duplicate original letters of retirement to the Chief Justice of the New Mexico Supreme Court and to the Governor of New Mexico. Respondent shall concurrently provide a copy of the retirement letter to the Commission.

Upon retirement, respondent shall never again hold, become a candidate for, run for, or stand for election to any New Mexico judicial office in the future. Respondent shall never seek, accept appointment to, or serve *pro tempore* for any New Mexico judicial office in the future. New Mexico judicial office includes the posts of judge in municipal court, probate court, magistrate court, metropolitan court, district court, Court of Appeals, and justice of the Supreme Court.

B. The Commission will file under seal with the New Mexico Supreme Court pursuant to Rule 27-104(B) NMRA a *Motion to Accept Stipulation to Permanent Retirement from Judicial Office in Lieu of Further Disciplinary Proceedings*, attaching a copy of the Stipulation.

C. Upon granting the *Motion to Accept Stipulation to Permanent Retirement from Judicial Office in Lieu of Further Disciplinary Proceedings*, the Supreme Court will unseal the entire Supreme Court file in this matter pursuant to Rule 27-104(B) NMRA.

D. Upon execution of this *Stipulation to Permanent Retirement from Judicial Office in Lieu of Further Disciplinary Proceedings* and acceptance

by the Supreme Court, the Commission will abate and close all pending matters before the Commission, Inquiry No. 2011-068.

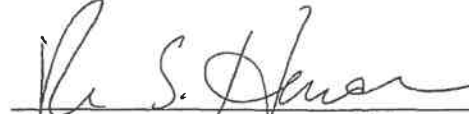
4. Upon Order from this Court, the attached *Stipulation to Permanent Retirement from Judicial Office in Lieu of Further Disciplinary Proceedings* is enforceable by the Commission before the Supreme Court.

5. It is in the best interests of justice and integrity of the New Mexico Judiciary that the Supreme Court issue an order accepting Respondent Hon. Albert S. "Pat" Murdoch's permanent retirement from judicial office.

WHEREFORE, Petitioner respectfully requests this Court issue an order granting the Commission's Motion, enter an order approving the *Stipulation to Permanent Retirement from Judicial Office Effective July 29, 2011 in Lieu of Further Disciplinary Proceedings*, accepting Respondent Hon. Albert S. "Pat" Murdoch's permanent retirement from judicial office, and enter an order unsealing all documents filed in the Supreme Court in this case.

Respectfully submitted,

JUDICIAL STANDARDS COMMISSION



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was sent by facsimile  
and by first class mail on this 26th day of July, 2011, to the Respondent:

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